



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

400 Seventh St. S.W.
Washington, D.C. 20590

MAR 30 2005

DOT-E 13859

EXPIRATION DATE: February 28, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Degussa Corporation
Parsippany, NJ
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the transportation in commerce of packages containing the Division 2.3, Division 4.3, and Class 8 materials specified in paragraph 6 without meeting the segregation requirements in § 177.848. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171- 180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 177.848(d) and (e)(3) in that Division 2.3 and Division 4.3 materials may not be transported in the same transport vehicle with Class 8 liquids except as specified herein.
5. BASIS: This exemption is based on the application of Degussa dated August 5, 2004, and supplemental information dated September 9, 2004 and February 28, 2005, submitted in accordance with § 107.105 and public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Corrosive liquid, toxic, n.o.s. (Germanium tetrachloride)	8	UN2922	II
Trichlorosilane	4.3	UN1295	I
Silicon tetrachloride	8	UN1818	II
Dichlorosilane	2.3	UN2189	Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The materials specified in paragraph 6 must be packaged in accordance with the requirements of the Hazardous Materials Regulations.

b. OPERATIONAL CONTROLS -

(1) A freight container or transport vehicle may contain the Division 2.3, Division 4.3, and Class 8 materials specified in paragraph 6 above without meeting the segregation requirements specified in §§ 177.848(d) and (e)(3) under the following conditions:

(i) the shipper loads the material, blocks and braces the material within freight container or transport vehicle and seals the freight container or transport vehicle;

(ii) no other hazardous material may be loaded into the freight container or transport vehicle;

(iii) compatible non-hazardous materials may be loaded into the freight container or transport vehicle; and

(iv) the shipper must seal the freight container or transport vehicle.

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(v) no intermediate pickup or delivery of materials is authorized.

(2) A freight container or transport vehicle containing the materials specified in paragraph 6 above which is opened prior to final delivery, must meet the segregation requirements specified in §§ 177.848(d) and (e)(3).

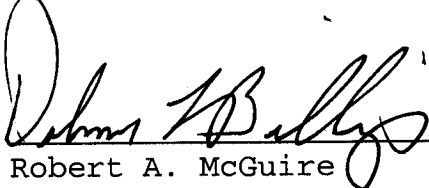
8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire

for
Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: STH:dl